

Agricultural Marketing Service, USDA

§ 947.133

DEFINITIONS

**§ 947.110 Order.**

*Order* means Order No. 947, as amended (§§ 947.1 to 947.88), regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and in all Counties in Oregon, except Malheur County.

**§ 947.111 Marketing agreement.**

*Marketing agreement* means Marketing Agreement No. 114, as amended.

**§ 947.112 Terms.**

Terms used in this subpart shall have the same meaning as when used in said marketing agreement and order.

**§ 947.113 Area determinations.**

*Immediate production area*, and *immediate shipping area*, respectively, are each synonymous with *district*.

EXEMPTIONS

**§ 947.120 Hardship exemption.**

Handlers seeking an exemption pursuant to the provisions of §§ 947.65–947.67 shall make application to the committee on forms furnished by it. All information and conditions relative to the application will be considered promptly. The decision of the committee shall be final subject to the appeal procedures prescribed in § 947.67.

[39 FR 2270, Jan. 18, 1974]

**§ 947.123 Reports and records.**

Any person handling potatoes under § 947.120 shall record and report shipments in such frequency as the committee may prescribe.

[39 FR 2270, Jan. 18, 1974]

SAFEGUARDS

**§ 947.130 Special Purpose Certificates—application and issuance.**

Each person handling potatoes for special purposes under safeguard requirements imposed pursuant to this part shall apply to the committee for a Special Purpose Certificate. The committee shall make available, on request, the forms for such application as

well as such report forms as it may require under § 947.132.

[39 FR 2270, Jan. 18, 1974]

**§ 947.132 Reports.**

(a) *Immature potatoes.* The applicant shall identify the producer and the dates on which such potatoes will be handled in his application for a Special Purpose Certificate.

(b) *Certified seed.* A special purpose shipment report shall be required for each load of certified seed when shipped outside the district (§ 947.18) where grown. The shipper of such certified seed potatoes shall return the completed form to the committee within the time period prescribed on such forms.

(c) *Livestock feed.* (1) The committee may require the applicant to furnish information specifying the location where the potatoes are to be consumed, the anticipated quantity of potatoes to be so handled, the total acreage from which the feed will be derived and the approximate starting and ending dates for such shipments.

(2) Any person handling potatoes for this purpose shall record and report the volume handled at such intervals as the committee may prescribe.

[39 FR 2270, Jan. 18, 1974, as amended at 56 FR 55986, Oct. 31, 1991]

**§ 947.133 Denial and appeals.**

(a) The committee may suspend a handler's Special Purpose Certificate for a period of 30 days for failure to report as required by § 947.132.

(1) A handler who has had two or more certificates suspended or his certificate suspended twice within the preceding two year period may be refused a Special Purpose Certificate. The committee also may revoke for a period of up to one year the Special Purpose Certificate of any handler who has had his certificate suspended twice within a marketing season.

(b) Upon refusal, suspension or revocation of a Special Purpose Certificate, the handler may make a written appeal for reconsideration of the decision to the committee. The Chairman shall direct that the committee immediately reconsider the action.

[39 FR 2270, Jan. 18, 1974]